



JAMES E. JOHNSON
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

JORGE M. MARQUEZ
Senior Counsel
Phone: (212) 356-2336
Fax: (212) 356-3558
Email: jmarquez@law.nyc.gov

March 8, 2021

VIA E.C.F.

Hon. Robert W. Lehrburger
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

RE: Trent Patterson v. Captain Johnson,
16 Civ. 3156 (PAE) (RWL)

Your Honor:

I am a Senior Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney assigned to represent the defendant, Captain Johnson, in the above referenced action. Defendant respectfully seeks a one week extension to file its Motion for Summary Judgement, from March 10, 2021, to March 17, 2021.

The Defendant's Motion for Summary Judgment will be finalized this week. Nevertheless, the undersigned must make arrangements to have the motion papers, including video media, copied in order to mail the same to Plaintiff. Given the ongoing pandemic, there are limitations on the Law Department's mailing operations that require the undersigned to appear within a specific time frame so as to be able to mail the package to Plaintiff. Accordingly, Defendant respectfully requests a 1 week extension of time to file its Motion for Summary Judgement and arrange for a package of the motion papers to be delivered to Plaintiff.

In light of this request, Defendant also requests that the Court, *sua sponte*, extend the deadline for Plaintiff to serve his opposition papers, from May 3, 2021, to May 10, 2021. (E.C.F. No. 144) Defendant notes that an extension of the May 24, 2021, deadline to file his Reply papers is not warranted at this time.

Lastly, the undersigned notes that on March 4, 2021, he spoke over the phone with Mr. Patterson to request his consent to this application; Mr. Patterson indicated that he had to think about whether he would give his consent and asked the undersigned to call today to confirm. Defendant notes that on March 4, 2021, Mr. Patterson provided the undersigned an e-mail address and that Defendant e-mailed Mr. Patterson asking if he consented to the extension request. Today, March 8, 2021, Defendant called Mr. Patterson to follow-up on last week's phone conversation. Mr. Patterson, however, did not respond. In addition, Defendant notes that Mr. Patterson did not respond to the Defendant's e-mail sent on March 4, 2021. As a result, Defendant notes that he was unable to obtain Mr. Patterson's position concerning this application. Notwithstanding said fact, Defendant respectfully requests that the Court grant this application.

Respectfully submitted,

Jorge Marquez /S/

Jorge M. Marquez

Senior Counsel

Special Federal Litigation Division

cc: **VIA MAIL TO:.**
Trent Patterson
50 Kimberly Ln.
Apt. 40A
Staten Island, New York 10304

SO ORDERED:

3/8/2021


HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE